



**Federal Bureau of Investigation**  
Washington, D.C. 20535

April 30, 2018

MR. JAMES F PETERSON  
JUDICIAL WATCH, INC.  
SUITE 800  
425 THIRD STREET, SW  
WASHINGTON, DC 20024

Civil Action No.: 18-cv-00220  
FOIPA Request Nos.: 1382512-000,  
1382513-000, and 1382514-000  
Subject: Records Regarding Director Comey's Pre-  
Publication Review of Book and Testimony before the  
Senate Select Committee on Intelligence on June 8,  
2017

Dear Mr. Peterson:

The enclosed documents were reviewed under the Freedom of Information Act (FOIA), Title 5, United States Code, Section 552. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Explanation of Exemptions:

**Section 552**

☐ (b)(1)

☐ (b)(2)

☐ (b)(3)

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☐ (b)(4)

☒ (b)(5)

☒ (b)(6)

☐ (b)(7)(A)

☐ (b)(7)(B)

☒ (b)(7)(C)

☐ (b)(7)(D)

☒ (b)(7)(E)

☐ (b)(7)(F)

☐ (b)(8)

☐ (b)(9)

**Section 552a**

☐ (d)(5)

☐ (j)(2)

☐ (k)(1)

☐ (k)(2)

☐ (k)(3)

☐ (k)(4)

☐ (k)(5)

☐ (k)(6)

☐ (k)(7)

15 page(s) were reviewed and 13 page(s) are being released.

- ☐ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- ☐ This information has been referred to the OGA(s) for review and direct response to you.
- ☐ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.
- ☐ In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

Although your request is in litigation, we are required by law to provide you the following information:

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing [ogis@nara.gov](mailto:ogis@nara.gov). Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Records Management Division

Enclosure(s)

In response to your Freedom of Information Act (FOIA) request, enclosed is a processed copy of Bates stamped documents, FBI 18-CV-00220 -1 through FBI 18-CV-00220 -15. The enclosed documents represent the final release of information responsive to your request.

To minimize costs to you and the FBI, duplicate copies of the same document were not processed.

This material is being provided to you at no charge. Accordingly, it is unnecessary to adjudicate your request for a fee waiver as no fees are being assessed.

## EXPLANATION OF EXEMPTIONS

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could reasonably be expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

Beers, Elizabeth R. (DO) (FBI)

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From: Beers, Elizabeth R. (DO) (FBI)  
Sent: Wednesday, May 17, 2017 6:41 PM  
To: Rybicki, James E. (DO) (FBI)  
Cc: Brower, Gregory (OGC) (FBI)  
Subject: Fwd: Hearing/Comey  
Attachments: 2017-05-17 Comey Invitation.pdf

Jim - please forward. Thanks

----- Original message -----

From: [REDACTED] (DO) (FBI)" [REDACTED]  
Date: 05/17/2017 6:37 PM (GMT-05:00)  
To: "Beers, Elizabeth R. (DO) (FBI)" <[REDACTED]> "Brower, Gregory (OGC) (FBI)"  
<[REDACTED]>  
Subject: Fwd: Hearing/Comey

b6 1  
b7C 1  
b7E 1

Beth,

We received the attached, formal letter requesting Director Comey serve as a witness at HOCR's hearing next week. Would you mind getting this letter to Director Comey?

Thank you,

[REDACTED]  
b6 1  
b7C 1

----- Original message -----

From: [REDACTED]  
Date: 05/17/2017 6:16 PM (GMT-05:00)  
To: [REDACTED] (DO) (FBI)" <[REDACTED]> "Brower, Gregory (OGC) (FBI)"  
<[REDACTED]>  
Cc: [REDACTED]  
Subject: RE: Hearing/Comey

b6 1,2  
b7C 1,2  
b7E 1

Thank you [REDACTED]

I've attached a letter from the Chairman formally inviting Director Comey to the hearing. Can you ensure that this is transmitted to him, or is there another address to which we should send the invitation to ensure he gets it?

Best,

b6 1,2  
b7C 1,2  
b7E 1

From: [redacted] (DO) (FBI) [mailto:[redacted]]  
Sent: Wednesday, May 17, 2017 3:52 PM  
To: [redacted] Brower, Gregory (OGC) (FBI) [redacted]  
[redacted] (DO) (FBI) <[redacted]>  
Subject: RE: Hearing/Comey

Per our conversation earlier today, I'm writing to let you know Chairman Chaffetz' cell phone number was provided to former Director Comey. I'll update you with additional information - if/when it becomes available.

b6 1,2  
b7C 1,2

Best,

----- Original message -----

From: [redacted]  
Date: 05/17/2017 2:23 PM (GMT-05:00)  
To: "Brower, Gregory (OGC) (FBI)" <[redacted]> [redacted] (DO) (FBI)"  
<[redacted]>  
Subject: Hearing/Comey

b6 1,2  
b7C 1,2  
b7E 1

Greg, [redacted] Can you give me a call as soon as possible today? The Chairman would like to speak with Mr. Comey and invite him to a hearing next Wednesday at 9:30, so I wanted to speak with you to facilitate this. You can call me on my cell at [redacted]

b6 1,2  
b7C 1,2

[redacted]  
<https://oversight.house.gov>

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJOR: (202) 225-5074  
MAJORS: (202) 225-5051  
INTERNET: [REDACTED]

May 17, 2017

The Honorable James B. Comey  
c/o Federal Bureau of Investigation  
935 Pennsylvania Avenue NW  
Washington, D.C. 20535-3000

Could not locate online

Dear Mr. Comey:

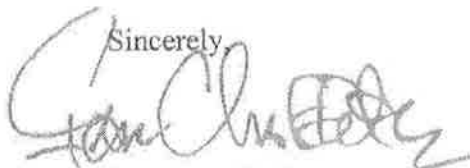
The Committee on Oversight and Government Reform requests your testimony at a hearing on **Wednesday, May 24, 2017, at 9:30 a.m.** in room 2154 of the Rayburn House Office Building.

This hearing will examine the independence of the FBI's investigation of former National Security Advisor Lt. Gen. Michael Flynn, to include conversations between you and the President on that topic, and the process by which you were removed from your role as Director, among other things.

Instructions for witnesses appearing before the Committee are contained in the enclosed Witness Instruction Sheet. In particular, please note the procedures for submitting testimony at least two business days prior to the hearing. Please contact the Committee by May 19, 2017, to confirm your attendance. Should you have any questions, contact [REDACTED] of the House Oversight and Government Reform Committee staff at [REDACTED]

b6 2  
b7C 2

Sincerely,



Jason Chaffetz  
Chairman

Enclosures

cc: The Honorable Elijah E. Cummings, Ranking Member

**Witness Instruction Sheet**  
**Non-governmental Witnesses**

1. Witnesses should provide their testimony, biography, and "Truth in Testimony" disclosure and certification form via e-mail to [REDACTED] no later than 10:00 a.m. two business days prior to the hearing.
2. Witnesses must complete the attached "Truth in Testimony" disclosure and certification. Additional pages may be attached to the form if needed. Witnesses must also include a biography, resume or curriculum vitae. This disclosure and biographical information is required by House Rules. (House Rule XI, clause 2(g)(5))
3. Written testimony, biography and "Truth in Testimony" disclosure and certification form will be made publicly available and will be posted on the Committee's website and U.S. House of Representatives Document Repository. It is therefore recommended that personally identifiable information such as addresses and phone numbers not be included in the biographical information.
4. At the hearing, each witness will be asked to summarize his or her written testimony in five minutes or less in order to maximize the time available for discussion and questions. Written testimony will be entered into the hearing record and may extend to any reasonable length.
5. The Committee does not provide financial reimbursement for witness travel or accommodations. Witnesses with extenuating circumstances; however, may submit a written request for such reimbursements to [REDACTED] [REDACTED] 2157 Rayburn House Office Building, at least one week prior to the hearing. Reimbursements will not be made without prior approval.
6. Witnesses with disabilities should contact Committee staff to arrange any necessary accommodations.
7. Please note that Committee Rule 16(b) requires counsel representing an individual or entity before the Committee or any of its subcommittees, whether in connection with a request, subpoena, or testimony, promptly submit the attached notice of appearance to the Committee.
8. Committee Rules governing this hearing are online at [www.oversight.house.gov](http://www.oversight.house.gov).

b6 2  
b7C 2

b6 2  
b7C 2

For inquiries regarding these rules and procedures, please contact the Committee on Oversight and Government Reform at (202) 225-5074.

**Committee on Oversight and Government Reform  
Witness Disclosure Requirement — "Truth in Testimony"**

Pursuant to House Rule XI, clause 2(g)(5) and Committee Rule 16(a), non-governmental witnesses are required to provide the Committee with the information requested below in advance of testifying before the Committee. You may attach additional sheets if you need more space.

Name:

1. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.					
Name of Entity	Your relationship with the entity				

2. Please list any federal grants or contracts (including subgrants or subcontracts) you or the entity or entities listed above have received since January 1, 2015, that are related to the subject of the hearing.					
Recipient of the grant or contact (you or entity above)	Grant or Contract Name	Agency	Program	Source	Amount

2. Please list any payments or contracts (including subcontracts) you or the entity or entities listed above have received since January 1, 2015 from a foreign government, that are related to the subject of the hearing.					
Recipient of the grant or contact (you or entity above)	Grant or Contract Name	Agency	Program	Source	Amount

I certify that the information above and attached is true and correct to the best of my knowledge.

Signature \_\_\_\_\_

Date: \_\_\_\_\_

Page \_\_\_\_ of \_\_\_\_

FBI 18-CV-00220-5

**COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM  
U.S. HOUSE OF REPRESENTATIVES  
115<sup>TH</sup> CONGRESS**

**NOTICE OF APPEARANCE OF COUNSEL**

**Counsel submitting:** \_\_\_\_\_

**Bar number:** \_\_\_\_\_ **State/District of admission:** \_\_\_\_\_

**Attorney for:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

Pursuant to Rule 16 of the Committee Rules, notice is hereby given of the entry of the  
undersigned as counsel for \_\_\_\_\_ in (select one):

- ☒ All matters before the Committee
- ☐ The following matters (describe the scope of representation):

\_\_\_\_\_  
\_\_\_\_\_

All further notice and copies of papers and other material relevant to this action should be directed to and served upon:

**Attorney's name:** \_\_\_\_\_

**Attorney's email address:** \_\_\_\_\_

**Firm name (where applicable):** \_\_\_\_\_

**Complete Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_

I agree to notify the Committee within 1 business day of any change in representation.

\_\_\_\_\_  
Signature of Attorney

\_\_\_\_\_  
Date

Beers, Elizabeth R. (DO) (FBI)

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**From:** Beers, Elizabeth R. (DO) (FBI)  
**Sent:** Wednesday, May 17, 2017 12:42 PM  
**To:** Rybicki, James E. (DO) (FBI)  
**Cc:** Brower, Gregory (OGC) (FBI); [REDACTED] (DO) (FBI)  
**Subject:** FW: 170517 Letter to Former FBI Director James Comey from Chairman Burr and Vice Chairman Warner re Russian Interference  
**Attachments:** 170517 Letter to Former FBI Director Comey from Chairman Burr & Vice Chairman Warner re SSCI's Inquiry into Russian Interference.pdf

b6 1  
b7C 1

Jim – see attached from SSCI Leadership to Director Comey. We've been advising Committees to send any requests directed to Director Comey to FBI and we would facilitate transmittal to him. Please let me know if that works or if you'd like us to adopt another approach. Thanks,

Best,  
Elizabeth R. Beers

Director of Congressional Affairs

**From:** [REDACTED] (DO) (FBI)  
**Sent:** Wednesday, May 17, 2017 12:13 PM  
**To:** Beers, Elizabeth R. (DO) (FBI); [REDACTED] (DO) (FBI); [REDACTED] (DO) (FBI); [REDACTED] (DO) (FBI)  
**Subject:** Fwd: 170517 Letter to Former FBI Director James Comey from Chairman Burr and Vice Chairman Warner re Russian Interference

b6 1  
b7C 1  
b7E 1

----- Original message -----

**From:** [REDACTED]  
**Date:** 05/17/2017 12:09 PM (GMT-05:00)  
**To:** "Brower, Gregory (OGC) (FBI)" [REDACTED] (DO) (FBI)  
**Cc:** [REDACTED]  
**Subject:** 170517 Letter to Former FBI Director James Comey from Chairman Burr and Vice Chairman Warner re Russian Interference

b6 1,2  
b7C 1,2  
b7E 1

Mr. Brower – Attached is a letter to Former FBI Director James Comey from Chairman Richard Burr and Vice Chairman Mark dated May 17, 2017, concerning Russian Interference.

Please confirm receipt of this message and provide the attached letter to Former FBI Director Comey.

Sincerely,

FBI 18-CV-00220-7

b7C 2

COMMITTEE SENSITIVE

United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
WASHINGTON, DC 20510-6476

May 17, 2017

The Honorable James Comey  
c/o Assistant Director Greg Bower  
Federal Bureau of Investigations  
935 Pennsylvania Avenue, NW  
Washington, DC 20535-0001

Dear Mr. Comey:

Thank you for your assistance and responsiveness to the Senate Select Committee on Intelligence's requests, as part of its inquiry into whether, and to what extent, the Russian Federation interfered in the 2016 U.S. elections. As we chart the course forward, we would appreciate the opportunity to meet with you personally to discuss a possible approach that meets both the needs of the Committee and accommodates your wishes as former Director of the Federal Bureau of Investigation.

Given the scope and scale of public discourse on these issues, you will understand that the Committee must continue to act quickly but deliberately. It is our hope that we can meet in the very near future, at a location of your choosing, to collectively consider best next steps and your potential appearance before the Committee in both open and closed session.

Again, thank you for your dedicated and selfless service and your attention to these important matters of national security. Please have your staff contact [REDACTED] to facilitate the meeting.

b6 2  
b7C 2

Sincerely,



Richard Burr  
Chairman



Mark R. Warner  
Vice Chairman

COMMITTEE SENSITIVE

FBI 18-CV-00220-9

**Brower, Gregory (OGC) (FBI)**

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**From:** Brower, Gregory (OGC) (FBI)  
**Sent:** Wednesday, May 17, 2017 9:11 PM  
**To:** Beers, Elizabeth R. (DO) (FBI); Rybicki, James E. (DO) (FBI)  
**Cc:** McCabe, Andrew G. (DO) (FBI)  
**Subject:** Fwd: Senate Judiciary Committee Hearing Invitation  
**Attachments:** 2017-05-17 Grassley and Feinstein - Comey Invitation.pdf

----- Original message -----

**From:** [REDACTED]  
**Date:** 5/17/17 4:12 PM (GMT-08:00)  
**To:** "Brower, Gregory (OGC) (FBI)" [REDACTED]  
[REDACTED]  
**Subject:** FW: Senate Judiciary Committee Hearing Invitation

b6 2  
b7C 2  
b7E 1

**From:** [REDACTED]  
**Sent:** Wednesday, May 17, 2017 7:03 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
[REDACTED]  
**Subject:** Senate Judiciary Committee Hearing Invitation

b6 2,3  
b7C 2,3

Mr. Comey,

Attached is a letter from Chairman Grassley and Ranking Member Feinstein inviting you to testify at a public hearing of the Senate Judiciary Committee.

Thanks,

[REDACTED]

b6 2  
b7C 2

CHARLES GRASSLEY, IOWA (CHAIRMAN)  
GREEN, RUTH, UTAH  
LINDSEY O. GRAHAM, SOUTH CAROLINA  
JOHN CORNYN, TEXAS  
MICHAEL S. LEE, UTAH  
TED CRUZ, TEXAS  
JEN SASS, MINNESOTA  
JEFF FLAKE, ARIZONA  
MIKE CRAPO, IDAHO  
THOM TILLS, NORTH CAROLINA  
JOHN STANNEY, LOUISIANA  
Dianne Feinstein, CALIFORNIA  
PATRICK J. LEAHY, VERMONT  
RICHARD J. BLUMENTHAL, CONNECTICUT  
STEVE WARREN, MICHIGAN  
AMY KLOBUCHAR, MINNESOTA  
AL JANNETT, ALABAMA  
CHRISTOPHER A. COONS, COLORADO  
RICHARD SCHUMAKER, CONNECTICUT  
MARK R. BLUMENTHAL, CONNECTICUT

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

Re: [REDACTED] (S) [REDACTED] and Staff Person  
Re: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

May 17, 2017

James Comey



b6 3  
b7C 3

Dear Mr. Comey:

We invite you to testify at a public hearing of the Senate Committee on the Judiciary regarding the circumstances of your termination as Director of the FBI and your interactions with Trump and Obama administration officials regarding the FBI's Russia investigation and Clinton email investigation. A date and time for the hearing have not yet been set.

Committee rules require that you provide your testimony and a short biography for distribution to members of the Committee and the press at least 24 hours before the hearing is scheduled to begin. Once a date has been arranged, we ask that you send an electronic copy of your testimony and biography to [REDACTED] at the appropriate time.

b6 2  
b7C 2

Please contact [REDACTED] with any questions. We look forward to your testimony.

Sincerely,

Charles E. Grassley  
Chairman

Dianne Feinstein  
Ranking Member

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
Civil Action No.: 18-cv-00220  
FOIA Request No.: 1382512-000

Total Withheld Page(s) = 2

[illegible]

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X   Deleted Page(s)       X
X   No Duplication Fee   X
X   For this Page        X
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**Beers, Elizabeth R. (DO) (FBI)**

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**From:** Beers, Elizabeth R. (DO) (FBI)  
**Sent:** Friday, May 19, 2017 4:20 PM  
**To:** Rybicki, James E. (DO) (FBI); McCabe, Andrew G. (DO) (FBI); Bowdich, David L. (DO) (FBI); Baker, James A. (OGC) (FBI); Brower, Gregory (OGC) (FBI); [REDACTED] (OGC) (FBI)  
**Subject:** RE: Future testimony

b6 1  
b7C 1

[REDACTED]

b5 1

From: [REDACTED]

Sent: [REDACTED]

To: [REDACTED]

b6 1  
b7C 1

**From:** Rybicki, James E. (DO) (FBI)

**Sent:** Friday, May 19, 2017 4:11 PM

**To:** McCabe, Andrew G. (DO) (FBI); [REDACTED]; Bowdich, David L. (DO) (FBI); [REDACTED]; Baker, James A. (OGC) (FBI); [REDACTED]; Brower, Gregory (OGC) (FBI); [REDACTED]; [REDACTED] (OGC) (FBI); [REDACTED]; Beers, Elizabeth R. (DO) (FBI); [REDACTED]  
**Subject:** FW: Future testimony

b6 1  
b7C 1  
b7E 1

Please see a DRAFT response to Director Comey (below). I will hold pending further direction.

Thanks,

Jim

Director:

In response to your e-mails below, we have consulted with executive management here, including the General Counsel, and recommend the following:

1. That your counsel convey any acceptance or declinations to invitations to testify directly to the Committees;
2. That your counsel consult with Special Counsel Mueller to determine the timing of any such testimony; and,
3. The Office of General Counsel stands ready to discuss with you, in consultation with the Department of Justice and the Special Counsel, institutional privileges or prerogatives that may be presented by any such testimony.

Thanks,

Jim

**From:** [REDACTED]

**Sent:** Friday, May 19, 2017 3:02 PM

**To:** [REDACTED]

b6 3  
b7C 3  
b7E 1

TO: Rybicki, James E. (DO) (FBI) [REDACTED]

Subject: Re: Future testimony

Yes and yes

On Fri, May 19, 2017 at 2:10 PM Rybicki, James E. (DO) (FBI) [REDACTED] wrote:

b7E 1

Director: We just met to discuss the requests outlined in the two e-mails below. Before responding, the General Counsel has asked me to confirm that you have discussed with the attorneys representing you, and that you are comfortable discussing these issues with us rather than communicating through your counsel.

Thanks,  
Jim

From [REDACTED]  
Sent: Friday, May 19, 2017 11:49 AM

b6 3  
b7C 3  
b7E 1

To: Rybicki, James E. (DO) (FBI) [REDACTED]  
Subject: Re: Future testimony

Jim:

I just got off a call with Senators Burr and Warner. They would like to have a hearing next Wednesday at which I testify, first in open session and then in closed, if necessary. I asked them not to announce it until I check with FBI/DOJ to see if you want to discuss anything before they do that. I told them I had asked for guidance on any institutional prerogatives and for the opportunity to review any documents FBI has produced that relate to me. I told them I would communicate with them by the end of the day to either ask them to hold announcing the Wednesday hearing or go ahead.

Many thanks.

Jim

On Thu, May 18, 2017 at 6:36 PM [REDACTED] wrote:

b6 3  
b7C 3

Jim:

Thank you for forwarding the testimony requests from SSCI, SJC, and House Govt Affairs. I have communicated to SSCI that I accept their invitation. In light of that commitment to SSCI, would you please ask OCA to communicate my respectful declination to SJC and House Govt Affairs?

Would you also tell OGC that I need to have a conversation, once the SSCI hearing date is set, as to whether FBI/DOJ has any guidance for, or requests of, me with respect to any institutional privileges or prerogatives they wish me to take into account?

Last, would you please tell OGC that I would like to be able to review any documents authored by me or on which I am copied that will be produced to SSCI in connection with my testimony and would like the opportunity for that review before I testify?

Thanks for your assistance.

Jim